

Message Text

CONFIDENTIAL

PAGE 01 LONDON 07239 01 OF 03 031646Z
ACTION OES-07

INFO OCT-01 AF-10 ARA-06 EA-07 EUR-12 NEA-10 IO-13
ISO-00 ACDA-07 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00
EPG-02 COME-00 DLOS-09 DODE-00 DOTE-00 EB-07
EPA-01 ERDA-05 FEAE-00 FMC-01 TRSE-00 H-01 INR-07
INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OMB-01
PA-01 PM-04 PRS-01 SP-02 SS-15 AGR-05 NSCE-00
SSO-00 USIE-00 INRE-00 OIC-02 ERDE-00 /158 W
-----031729Z 112029 /50

O R 031626Z MAY 77
FM AMEMBASSY LONDON
TO SECSTATE WASHDC IMMEDIATE 3414
INFO AMEMBASSY BUENOS AIRES
AMEMBASSY CANBERRA
AMEMBASSY BRUSSELS
AMEMBASSY PARIS
AMEMBASSY PRETORIA
AMEMBASSY MOSCOW
AMEMBASSY OSLO
AMEMBASSY SANTIAGO
AMEMBASSY TOKYO
AMEMBASSY WARSAW
AMEMBASSY WELLINGTON
AMCONSUL CAPE TOWN

C O N F I D E N T I A L SECTION 01 OF 03 LONDON 07239

CAPE TOWN FOR EMBASSY

E.O. 11652: GDS
TAGS: XV TGEN UK
SUBJECT: ANTARCTIC TREATY: 9TH CONSULTATIVE MEETING:
SIXTH MONTHLY PREPARATORY MEETING

REF: (A) STATE 92654; (B) LONDON 6288; (C) LONDON 5916

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 LONDON 07239 01 OF 03 031646Z

1. SUMMARY: MOST OF SIXTH MONTHLY DEVOTED TO HEAP'S
REPORT ON FAO COMMITTEE ON FISHERIES (COFI) MEETING. HE
FEELS MEETING WAS SUCCESSFUL FROM TREATY MEMBERS' STAND-
POINT IN THAT COFI DECIDED NOT TO ESTABLISH SUBCOMMITTEE
ON SOUTHERN OCEANS AND REFERENCES TO "MANAGEMENT" OF
FISHERIES IN SOUTHERN OCEANS WERE AVOIDED IN COMMITTEE
REPORT. HE IS WORRIED HOWEVER ABOUT GROWING LDC INTEREST

IN ANTARCTIC. CHILEAN REP EXPRESSED CONCERN OVER FORMAT OF MEETING OF EXPERTS AT IX CONSULTATIVE. HEAP ASKED THAT GROUP BE PREPARED FOR SUBSTANTIVE DISCUSSION OF GUIDELINES FOR THE EXPERTS AT NEXT MONTHLY. IN RESPONSE TO GENERAL REQUEST UK TABLED REDRAFT OF ITS INFORMAL PROPOSAL ON PROCEDURES GOVERNING ADMISSION OF NEW CONSULTATIVE MEMBERS. THERE WAS GENERAL AGREEMENT THAT JULY AD HOC CONSULTATIVE WOULD RECONSTITUTE ITSELF AS SECOND EXTENDED PREPARATORY MEETING. END SUMMARY.

2. SIXTH MONTHLY PREPARATORY MEETING FOR THE IXTH CONSULTATIVE MEETING OF THE ANTARCTIC TREATY WAS HELD AT FCO APRIL 28. AGENDA ITEM I, PROVISIONAL AGENDA FOR THE IXTH CONSULTATIVE MEETING, REMAINED UNCHANGED FROM PREVIOUS MEETINGS. NEW AGENDA ITEM II, "THE SPECIAL CONSULTATIVE MEETING JULY 25, 1977," WAS ADDED. UNDER AGENDA ITEM I (1), CHILEAN REP STATED AGAIN THAT HIS GOVERNMENT IS PREPARING SHORT PAPER ON EFFECTS OF TOURIST AND NONGOVERNMENTAL EXPEDITIONS IN THE ANTARCTIC WHICH SHOULD BE READY FOR PRESENTATION AT NEXT MONTHLY.

3. AGENDA ITEM I (2). HEAP REPORTED ON FAO COMMITTEE ON FISHERIES (COFI) MEETING HELD IN ROME APRIL 19-26, AND CIRCULATED PORTION OF COFI DRAFT REPORT RELATING TO SOUTHERN OCEANS QUESTION (COPY BEING POUCHED). THERE WERE TWICE AS MANY INTERVENTIONS ON THIS QUESTION THAN WERE STIMULATED BY REST OF AGENDA. HEAP DESCRIBED MEETING AS SUCCESSFUL FROM TREATY MEMBERS STANDPOINT. ESTABLISHMENT OF SUBCOMMITTEE ON SOUTHERN OCEANS WAS AVOIDED AND CONFIDENTIAL

CONFIDENTIAL

PAGE 03 LONDON 07239 01 OF 03 031646Z

COMMITTEE REPORT WILL NOT CONTAIN ANY REFERENCE TO "MANAGEMENT OF SOUTHERN OCEAN RESOURCES AS A MATTER OF CONCERN TO THE FAO." WHILE HEAP FEELS OUTCOME OF MEETING VERY MUCH IN LINE WITH WHAT GROUP HOPED TO ACHIEVE, HE ALSO THINKS IT WAS CLEAR TO ALL TREATY MEMBERS PRESENT THAT BECAUSE ROLE COFI MIGHT PLAY IN THE SOUTHERN OCEANS WAS NOT CLEARLY DEFINED, IT WAS LEFT WITH CONSIDERABLE LATITUDE OF ACTION. HE FEELS THIS COULD BE DANGEROUS AT A TIME WHEN LDC AWARENESS OF THE IMPORTANCE OF ANTARCTIC RESOURCES IS GROWING. HEAP CITED AS AN EXAMPLE COMMENTS BY REPRESENTATIVES FROM BOTH SRI LANKA AND GUINEA (WHO HE DESCRIBED AS THE SELF-APPOINTED REP OF THE 77) IN WHICH THEY DESCRIBED THE RESOURCES OF THE ANTARCTIC AS A "COMMON HERITAGE OF MANKIND."

4. AT THE SAME TIME HEAP WAS PLEASED THAT SOME COUNTRIES, LED BY CANADA, SWEDEN, AND KENYA, TRIED TO ESTABLISH A POSITION BETWEEN THE TWO EXTREMES. THEY ARGUED THAT FAO AND OTHER INTERNATIONAL BODIES HAD

BETTER USES FOR THEIR SCARCE RESOURCES THAN TO INVEST IN SOUTHERN OCEAN PROJECTS WHICH AT THIS TIME WILL AID ONLY THE DEVELOPED WORLD. HE ADDED FINALLY THAT IT IS NOW PLAIN TO HIM THAT FAO IS DOMINATED BY THE LDCS AND BECAUSE OF THIS IT IS NOT CLEAR WHICH DIRECTION THE SECRETARIAT WILL TAKE IN THE FUTURE.

5. AGENDA ITEM I (3). AUSTRALIAN REP, SPEAKING FROM INSTRUCTIONS, SAID CANBERRA CONSIDERS IT VERY IMPORTANT

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 LONDON 07239 02 OF 03 031648Z
ACTION OES-07

INFO OCT-01 ISO-00 AF-10 ARA-06 EA-07 EUR-12 NEA-10
IO-13 ACDA-07 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00
EPG-02 COME-00 DLOS-09 DODE-00 DOTE-00 EB-07
EPA-01 ERDA-05 FEAE-00 FMC-01 TRSE-00 H-01 INR-07
INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OMB-01
PA-01 PM-04 PRS-01 SP-02 SS-15 AGR-05 NSCE-00
SSO-00 USIE-00 INRE-00 OIC-02 ERDE-00 /158 W
-----031730Z 112050 /50

O R 031626Z MAY 77
FM AMEMBASSY LONDON
TO SECSTATE WASHDC IMMEDIATE 3415
INFO AMEMBASSY BUENOS AIRES
AMEMBASSY CANBERRA
AMEMBASSY BRUSSELS
AMEMBASSY PARIS
AMEMBASSY PRETORIA
AMEMBASSY MOSCOW
AMEMBASSY OSLO
AMEMBASSY SANTIAGO
AMEMBASSY TOKYO
AMEMBASSY WARSAW
AMEMBASSY WELLINGTON
AMCONSUL CAPE TOWN

C O N F I D E N T I A L SECTION 02 OF 03 LONDON 07239

THAT ARRANGEMENTS FOR GROUP OF EXPERTS DISCUSSION OF

MINERAL EXPLORATION AND EXPLOITATION AT IXTH CONSULTATIVE
BE CAREFULLY THOUGHT THROUGH. AUSTRALIA RECOGNIZES NEED
FOR DRILLING, ETC. EXPERTS TO BE PRESENT BUT ALSO EX-
PECTS THAT EXPERTS IN ADMINISTRATION OF EXPLORATION AND
EXPLOITATION WILL BE INCLUDED. HEAP SAID THIS SEEMED TO
IMPLY THAT AUSTRALIA EXPECTS THE EXPERTS TO DISCUSS REGU-
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 LONDON 07239 02 OF 03 031648Z

LATORY AS WELL AS TECHNICAL QUESTIONS. AUSTRALIAN REP
CLARIFIED HIS STATEMENT BY SAYING THAT WHAT CANBERRA
HAS IN MIND IS ENTIRELY RELATED TO THE EFFECTS OF ACTIVI-
TIES ON THE ENVIRONMENT WITH A VIEW TOWARDS REGULATION.
SOVIET REP SAID GUIDELINES AS PREVIOUSLY CIRCULATED WERE
UNDER CONSIDERATION IN MOSCOW BUT THAT HE HAD NO COMMENT
ON THEM YET. NEW ZEALAND REP ACCEPTED GUIDELINES.
CHILEAN REP FEELS PROPOSED GUIDELINES GENERALLY ACCEPTA-
BLE BUT QUESTIONS PROCEDURAL ASPECTS OF MEETING. AS NO
ONE WAS WILLING TO MAKE FIRM COMMITMENT IN THIS AREA,
MATTER WAS LEFT OPEN. HOWEVER HEAP MADE STRONG APPEAL
THAT POSITIONS ON THIS SUBJECT BE CLARIFIED PRIOR TO NEXT
MONTHLY. HE SAID HE WILL CIRCULATE GUIDELINES
BY DIPLOMATIC NOTE FORMALIZING THIS REQUEST. THERE WAS
NO COMMENT ON AGENDA ITEMS I (4), (5) AND (6).

6. AGENDA ITEMS I (7) AND II WERE DEALT WITH TOGETHER.
PRIOR TO MEETING HEAP HAD PRIMED AUSTRALIAN, U.S., NEW
ZEALAND AND USSR REPS TO SUGGEST FORMAL TABLING OF UK
INFORMAL PROPOSAL FOR PROCEDURES TO ADMIT QUALIFIED
TREATY ACCEDING PARTIES TO CONSULTATIVE MEETINGS. SUG-
GESTION WAS ACCEPTED AND PAPER CIRCULATED "WITHOUT
PREJUDICE TO ANYONE'S POSITION." FCO LEGAL ADVISOR
DAVID ANDERSON SPENT CONSIDERABLE TIME EXPLAINING DIF-
FERENCES BETWEEN IT AND FIRST DRAFT. HE STATED HE PUR-
POSELY LEFT QUESTION OF "FORM" OPEN. HE FEELS THIS CAN
EASILY BE RESOLVED ONCE AGREEMENT IS REACHED ON SUB-
STANCE.

7. TEXT IS SOMEWHAT AMENDED FROM THAT SUBMITTED PARA 4
REFTEL C. CHANGES KEYED TO SUBPARAS OF PARA 4 REFTEL C
FOLLOW:

PARA A: ADD ("THE NOTIFYING GOVERNMENT")
AT END OF LAST LINE.

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 LONDON 07239 02 OF 03 031648Z

PARA B: CHANGE TO READ:

"THE NOTIFYING GOVERNMENT SHALL INFORM CONSULTATIVE PARTIES OF THE CONTENT AND OBJECTIVES OF ITS SCIENTIFIC PROGRAMS THROUGH DIPLOMATIC CHANNELS. EACH CONSULTATIVE PARTY SHALL CONSIDER THE QUESTION WHETHER OR NOT THE NOTIFYING GOVERNMENT IS AT THAT TIME DEMONSTRATING ITS INTEREST IN ANTARCTICA BY CONDUCTING SUBSTANTIAL SCIENTIFIC RESEARCH ACTIVITY THERE, SUCH AS THE ESTABLISHMENT OF A SCIENTIFIC STATION OR THE DESPATCH OF A SCIENTIFIC EXPEDITION, IN ACCORDANCE WITH ARTICLE IX(2)."

PARA C: CHANGE IN LINES 3 AND 7 "CONTRACTING PARTY" TO READ "NOTIFYING GOVERNMENT."

PARA D: CHANGE LINES 7 AND 8 TO READ:

"THE HOST GOVERNMENT TO THE NOTIFYING GOVERNMENT."

PARA E: NO CHANGE.

8. HEAP SAID HE WOULD LIKE TO HAVE COMMENTS ON PROPOSAL BEFORE JULY SO THAT AGREEMENT ON PROCEDURE CAN BE REACHED WELL BEFORE AD HOC MEETING. DURING GENERAL DISCUSSION WHICH WAS CONCERNED MAINLY WITH DRAFTING POINTS, USSR REP KOTLIAR TOOK U.S. REP ASIDE AND EXPRESSED HOPE THAT U.S. MIGHT MODIFY WHAT HE UNDERSTOOD TO BE U.S. OPPOSITION TO ESTABLISHMENT OF A SPECIFIC "RULE OF PROCEDURE." HE ARGUED THAT AN AGREED RULE OF PROCEDURE IS NECESSARY TO ENSURE PROPER HANDLING OF ACCESSION QUESTIONS IN THE FUTURE. CHILEAN REP INTERVENED TO SAY THAT HE SEES MERIT IN THE PAPER. HE THINKS HOWEVER THAT POLISH ACCEPTANCE OF ALL PREVIOUS TREATY RECOMMENDATIONS SETS USEFUL PRECEDENCE WHICH SHOULD BE INCORPORATED IN PROCEDURE FOR FUTURE "NOTIFYING PARTIES." HE SAID HE THOUGHT THIS MIGHT BOTHER USG BUT HOPED THAT THIS COULD BE RESOLVED THROUGH CONSENSUS. ANDERSON REPLIED THAT UK ALSO DELIGHTED WITH POLISH ACCEPTANCE. HOWEVER IN DRAW-CONFIDENTIAL

CONFIDENTIAL

PAGE 04 LONDON 07239 02 OF 03 031648Z

ING UP GENERAL GUIDELINES ONE MUST REMEMBER THAT PARA 2 OF ARTICLE IX OF THE TREATY DOES NOT CITE ACCEPTANCE OF PREVIOUS RECOMMENDATIONS AS A FACTOR IN ESTABLISHMENT OF CONSULTATIVE STATUS. THUS THERE IS NO FIRM LEGAL BASE FOR PROCEEDING IN THIS WAY. HE SUGGESTED THAT ONE

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 LONDON 07239 03 OF 03 031653Z
ACTION OES-07

INFO OCT-01 ISO-00 AF-10 ARA-06 EA-07 EUR-12 NEA-10
IO-13 ACDA-07 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00
EPG-02 COME-00 DLOS-09 DODE-00 DOTE-00 EB-07
EPA-01 ERDA-05 FEAE-00 FMC-01 TRSE-00 H-01 INR-07
INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OMB-01
PA-01 PM-04 PRS-01 SP-02 SS-15 AGR-05 NSCE-00
SSO-00 USIE-00 INRE-00 OIC-02 ERDE-00 /158 W
-----031728Z 112119 /50

O R 031626Z MAY 77
FM AMEMBASSY LONDON
TO SECSTATE WASHDC IMMEDIATE 3416
INFO AMEMBASSY BUENOS AIRES
AMEMBASSY CANBERRA
AMEMBASSY BRUSSELS
AMEMBASSY PARIS
AMEMBASSY PRETORIA
AMEMBASSY MOSCOW
AMEMBASSY OSLO
AMEMBASSY SANTIAGO
AMEMBASSY TOKYO
AMEMBASSY WARSAW
AMEMBASSY WELLINGTON
AMCONSUL CAPE TOWN

C O N F I D E N T I A L SECTION 03 OF 03 LONDON 07239

MIGHT ADD A PREAMBULAR STATEMENT STRONGLY WELCOMING
POLISH ACCEPTANCE OF THE TREATY RECOMMENDATIONS WHEN
ANNOUNCING THE AGREED ACCESSION PROCEDURE.

ACTION: REQUEST GUIDANCE ON QUESTIONS RAISED BY USSR
AND CHILEAN REPS.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 LONDON 07239 03 OF 03 031653Z

9. JULY AD HOC CONSULTATIVE: BEFORE CLOSING DISCUSSION
ON AGENDA ITEM II, HEAP RAISED QUESTION OF TRANSFORMING
AD HOC CONSULTATIVE INTO EXTENDED PREPARATORY. U.S.
REP ENDORSED PROPOSAL AS PER REFTEL A AND INDICATED

THAT WHILE SECOND PREPARATORY CAN ADDRESS ANY APPROPRIATE SUBJECTS, WE ASSUME THAT MARINE LIVING RESOURCES WILL TAKE PRIDE OF PLACE. THERE WAS NO REACTION TO THIS POINT OR TO HEAP'S STATEMENT THAT HE HAS RESERVED CONFERENCE SPACE FOR THE ENTIRE WEEK OF JULY 25. IT THUS SEEMS THERE IS GENERAL ALTHOUGH UNSTATED AGREEMENT TO SECOND EXTENDED PREPARATORY.

10. THERE WAS NO OTHER BUSINESS. IT WAS AGREED THAT NEXT MONTHLY MEETING WOULD BE HELD AT 1500 ON MAY 19.

11. MISCELLANY:

(A) EMBASSY FORWARDED CONTENTS STATE 82617 TO FCO ON APRIL 14.

(B) WE TOLD HEAP THAT DEPARTMENT WILL WELCOME HIS REPORT ON HIS RECENT CONSULTATIONS AND ASKED HIM WHETHER HE HAD RECEIVED ANY INDICATIONS OF SOVIET THINKING ON THE XTH CONSULTATIVE MEETING. HE SAID HE HOPES WE WOULD NOT PRESS SOVIETS ON THIS QUESTION AT THIS TIME. SOVIET AUTHORITIES ARE SUPPOSEDLY ANXIOUS THAT THIS ISSUE NOT CREATE ADVERSE PUBLICITY FOR THE TREATY AND ARE HOPING TO RESOLVE IT IN LOW KEY FASHION. HE SAID THAT IF THEIR PROCRASTINATION RESULTS IN U.S. BEING ADMINISTRATIVELY UNABLE TO HOST MEETING WE WILL JUST HAVE TO TELL THEM "THAT'S THE WAY THE COOKIE CRUMBLES." HE PROMISED TO PROVIDE US WITH DETAILED VIEWS AS SOON AS HIS TRIP REPORT IS READY.

(C) HEAP'S OFFICE IS OBTAINING FOR US A COPY OF PAPER DELIVERED BY DR. ROBERTS AT RECENT CHILEAN SYMPOSIUM.
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 LONDON 07239 03 OF 03 031653Z

WE WILL POUCH IT AS SOON AS RECEIVED.

SPIERS

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, SCIENTIFIC COOPERATION, NEGOTIATIONS, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Sent Date: 03-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977LONDON07239
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770154-1220
Format: TEL
From: LONDON
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197705100/aaaadiod.tel
Line Count: 373
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 85c15087-c288-dd11-92da-001cc4696bcc
Office: ACTION OES
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 7
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 STATE 92654, 77 LONDON 6288, 77 LONDON 5916
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 16-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2318918
Secure: OPEN
Status: NATIVE
Subject: ANTARCTIC TREATY: 9TH CONSULTATIVE MEETING: SIXTH MONTHLY PREPARATORY MEETING
TAGS: TGEN, XV, UK
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/85c15087-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009